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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 EUREKA! PET FOOD INC,

11 Plaintiff,

12 v.

13 ROSS-WELLS INC,

14 Defendant.

CASE NO. C18-252 MJP

ORDER ON DEFENDANT'S
MOTIONS IN LIMINE

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16 The above-entitled Court, having received and reviewed Defendant's Motions in Limine
17 (Dkt. No. 53) and Plaintiff's response thereto (Dkt. No. 59), all attached exhibits and
18 declarations as well as relevant portions of the record, rules as follows:

19 **Motion in Limine No. 1 to Exclude Evidence of Lost Revenue, Sales, or Profits:**

20 PARTIALLY GRANTED insofar as it applies to the dismissed claims of deceptive trade
21 practices and tortious interference with a business expectancy. PARTIALLY DENIED as to any
22 evidence regarding lost revenue, sales, or profits which has already been produced by either side
23 related to Plaintiff's remaining claim of trademark infringement.
24

Not identified on Plaintiff's Initial Disclosure: GRANTED, as Plaintiff failed to identify Lanny Viegut or any other witness from Carnivore Meat Company as potential witnesses in this matter.

Testimony Related to Eureka’s Product Development: The Court will STAY ruling on this motion until trial, where it will be addressed as to each witness on a question-by-question basis.

Dated May 7, 2019.

Marsha J. Pechman
United States Senior District Judge